

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Code of Criminal Procedure of 1963 is  
5 amended by changing Section 113-4 as follows:

6 (725 ILCS 5/113-4) (from Ch. 38, par. 113-4)

7 Sec. 113-4. Plea. (a) When called upon to plead at  
8 arraignment the defendant shall be furnished with a copy of the  
9 charge and shall plead guilty, guilty but mentally ill, or not  
10 guilty.

11 (b) If the defendant stands mute a plea of not guilty shall  
12 be entered for him and the trial shall proceed on such plea.

13 (c) If the defendant pleads guilty such plea shall not be  
14 accepted until the court shall have fully explained to the  
15 defendant the following:

16 (1) consequences of such plea and the maximum and  
17 minimum penalty provided by law for the offense which may  
18 be imposed by the court;

19 (2) as a consequence of a conviction or a plea of  
20 guilty, the sentence for any future conviction may be  
21 increased or there may be a higher possibility of the  
22 imposition of consecutive sentences;

23 (3) as a consequence of a conviction or a plea of

1 guilty, there may be registration requirements that  
2 restrict where the defendant may work, live, or be present;  
3 and

4 (4) as a consequence of a conviction or a plea of  
5 guilty, there may be an impact upon the defendant's ability  
6 to, among others:

7 (A) retain or obtain housing in the public or  
8 private market;

9 (B) retain or obtain employment; and

10 (C) retain or obtain a firearm, an occupational  
11 license, or a driver's license.

12 After such explanation if the defendant understandingly  
13 persists in his plea it shall be accepted by the court and  
14 recorded.

15 (d) If the defendant pleads guilty but mentally ill, the  
16 court shall not accept such a plea until the defendant has  
17 undergone examination by a clinical psychologist or  
18 psychiatrist and the judge has examined the psychiatric or  
19 psychological report or reports, held a hearing on the issue of  
20 the defendant's mental condition and is satisfied that there is  
21 a factual basis that the defendant was mentally ill at the time  
22 of the offense to which the plea is entered.

23 (e) If a defendant pleads not guilty, the court shall  
24 advise him at that time or at any later court date on which he  
25 is present that if he escapes from custody or is released on  
26 bond and fails to appear in court when required by the court

1 that his failure to appear would constitute a waiver of his  
2 right to confront the witnesses against him and trial could  
3 proceed in his absence.

4 (Source: P.A. 82-553.)